IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Chamber Summons No.101 of 2007
in
Suit No. 2003 of 1998

Jindal Drugs Limited ..Plaintiff

vs.

Forvol International Services Limited ..Defendant

Mr.Harinder Toor i/b Cr.Baley and Co. for applicants/defendant in support
Ms. Saumya Srikrishna i/b DSK Legal for plaintiff to show cause.

CORAM: S.C.DHARMADHIKARI J.
20th **July, 2007**

P.C.

1. All pursuasive and best efforts of Mr.Toor fail to pursuade me to reject the plaint by invokingOrder 7 Rule 11 of the Code of Civil Procedure. However, considering the averments in the plaint and fact that the written statement is also filed and contentions raised, following issues would arise for consideration along with other issues in this suit.

a) Whether the defendants prove that the suit is barred by law of limitation?

b) Whether the defendants prove that absence of M/s Korean Airlines, Air India Ltd. and Kingin Synthetics

Corporation as party defendants to the suit entails in dismissal thereof or not?

c) Whether the suit is maintainable in the light of the provisions contained in Carriage by Air Act, 1972 and Contract Act?

2. Chamber Summons is disposed of.

(S.C.DHARMADHIKARI J.)